

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JOHN F. TAMBURO
D/B/A MAN'S BEST FRIEND SOFTWARE, *
Plaintiff,

v.

* CASE NO.: 04 C 3317
JUDGE: The Honorable
* Joan B. Gottschall

STEVEN DWORKIN;
KRISTEN HENRY;
ROXANNE HAYES;
KAREN MILLS;
WILD SYSTEMS, PTY. LTD.,
AN AUSTRALIAN CORPORATION *

MAGISTRATE JUDGE: The Honorable
Nan Nolan

Defendants.

MOTION TO WITHDRAW AS COUNSEL

Comes now Attorney John R. Benn and pursuant to Local Rule 83.17 files this his Motion to Withdraw in this case. In support of this Motion Attorney John R. Benn would show as follows:

- 1) Attorney John R. Benn has been previously allowed to appear *pro hac vice* in this case.
- 2). On July 15, 2005 Plaintiff John Tamburo engaged Attorney John R. Benn to represent him and Versity Corporaiton in this case.
- 3) That the retainer agreement requested Plaintiff John Tamburo to pay an initial retainer of \$1,000.00.
- 4) That to date Plaintiff John Tamburo has submitted three (3) checks for payment of this retainer amount which have been returned "NSF".

5) That Plaintiff John Tamburo has previously submitted payment via PayPal for this retainer which was "cancelled".

6) That do date Attorney John Benn's required retainer has not been fully paid.

7) That Attorney John R. Benn has previously notified Plaintiff John Tamburo of his intention to withdraw from this case.

8) That Plaintiff John Tamburo's last known address was John Tamburo d/b/a Man's Best Friend Software, 655 North LaGrange Road, Ste. 209, Frankfort, IL 60423-2913.

WHEREFORE, Attorney John R. Benn requests that he be allowed to withdraw from this case on behalf of Plaintiffs John Tamburo and Varsity Corporation.

/s/John R. Benn
John R. Benn
ASB-0868-B23J
Attorney for Plaintiff
104 West Third Street
Sheffield, AL 35660
Telephone: 256-386-7685
Fax: 256-386-7615
E-Mail: John@JBLaw.org

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Charles L. Mudd, Jr.
Attorney at Law
3344 N. Albany Avenue
Chicago, IL 60618-5720

Mr. Ian Brenson
Attorney at Law
716 W. Burlington Avenue
La Grange, IL 60525

A printed version was mailed to on the date indicated below:

John Tamburo
Man's Best Friend Software
655 North LaGrange Road, Ste. 209
Frankfort, IL 60423-2913

Date: _____

/s/ John R. Benn